

02280.002680.

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
	:	Examiner: Raquel Alvarez
NEIL A. WILLCOCKS ET AL.)	
	:	TC/Art Unit: 3622
Application No.: 09/731,834)	
	:	Confirmation No.: 1867
Filed: December 8, 2000)	
	:	
For: TIME VARIABLE INCENTIVE FOR)	
PURCHASING GOODS AND SERVICES	:	July 16, 2010

Mail Stop: 16
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR REFUND

Sir:

In connection with the above-identified application, Applicant requests a refund of \$540.00 and \$510.00 for appeal fees paid on March 2, 2010, and April 14, 2008, respectively, in connection with the above-identified application. It is requested that the refund be applied as a credit to Deposit Account 50-3939. The reason for the requested refund follows.

Applicants filed the first Notice of Appeal in this case on September 18, 2006, and paid the fee of \$500.00 at that time. On March 2, 2010, Applicants filed a second Notice of Appeal and paid the fee of \$540.00. On April 14, 2008, Applicants filed a third Notice of Appeal and paid the fee of \$510.00. Pursuant to MPEP § 1204.01, however, the fee for a Notice of Appeal is paid only once unless a final decision is

granted by the Board of Appeals. Thus, the additional fees paid on April 14, 2008, and March 2, 2010, are overpayments. See the attached copies of the first, second, and third Notices of Appeal, the corresponding Electronic Patent Application Fee Transmittals for the second and third Notices of Appeal, and the corresponding Electronic Acknowledgment Receipts for the second and third Notices of Appeal evidencing the overpayments.

Accordingly, Applicants hereby request a refund of the \$540.00 and \$510.00 overpayments, and authorizes the Commissioner to credit Deposit Account No. 50-3939 in the amount of \$1050.00 to resolve this matter.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should be directed to our address given below.

Respectfully submitted,

/Lock See Yu-Jahnes/
Lock See Yu-Jahnes
Attorney for Applicants
Registration No. 38,667

FITZPATRICK, CELLA, HARPER & SCINTO
1290 Avenue of the Americas
New York, New York 10104-3800
Facsimile: (212) 218-2200



Docket No. 02280.002680
Date: September 18, 2006 (Monday)

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
AND PETITION FOR EXTENSION OF TIME

In re Application of: NEIL A. WILLCOCKS ET AL.

Application No.: 09/731,834

For: TIME VARIABLE INCENTIVE FOR PURCHASING GOODS AND SERVICES

Filed: December 8, 2000

Art Unit: 3622

Mail Stop: AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated April 17, 2006, of the Primary Examiner finally rejecting Claims 1-27, 29, 30, 32, and 36-40.

The items checked below are appropriate.

1. ☒ Applicants petition under 35 C.F.R. § 1.136(a) for a two-month extension of time to respond to the final rejections. The \$450.00 extension fee due under 37 C.F.R. § 1.17 is submitted herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

September 18, 2006

(Date of Deposit)

Lock See Yu-Jahnes (Reg. No. 38,667)

(Name of Attorney for Applicants)

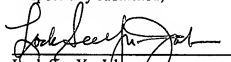
(Signature)

September 18, 2006

(Date of Signature)

2. ☐ Applicants petition under 35 C.F.R. § 1.136(a) for an additional ____-month extension of time to respond to the final rejections. The additional \$ ____ extension fee due under 37 C.F.R. § 1.17 is enclosed. A petition for a ____-month extension of time to take further action, together with the \$ ____ extension fee due under 37 C.F.R. § 1.17, were submitted on _____.
3. ☒ Fee \$500.00
- ☐ Fee \$160.00 (Verified Statement claiming small entity status is enclosed, if not filed previously.)
- ☒ Enclosed
- ☐ Not required (fee paid in prior appeal)
- ☐ Charge to Deposit Account No. 06-1205 (One additional copy of this Notice enclosed herewith.)
4. ☒ Any prior general authorization to charge an issue fee under 37 C.F.R. § 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. § 1.16 or § 1.17 that may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205.
5. ☒ Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,


Lock See Yu-Jahnes
Attorney for Applicants
Registration No. 38,667

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

Form #67

NY_MAIN 582787v1

Electronic Acknowledgement Receipt

EFS ID:	3146542
Application Number:	09731834
International Application Number:	
Confirmation Number:	1867
Title of Invention:	Time variable incentive for purchasing goods and services
First Named Inventor/Applicant Name:	Neil A. Willcocks
Customer Number:	5514
Filer:	Lock See Yu-Jahnes/DAVID NGUY
Filer Authorized By:	Lock See Yu-Jahnes
Attorney Docket Number:	2280.2680
Receipt Date:	14-APR-2008
Filing Date:	08-DEC-2000
Time Stamp:	13:36:32
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$1560
RAM confirmation Number	7303
Deposit Account	503939
Authorized User	

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes) /Message Digest	Multi Part /.zip	Pages (if appl.)
1	Notice of Appeal Filed	Appeal02280002680.pdf	6982 e405d4af5794cb6915a71ee9d6au0102 8b093d09	no	2

Warnings:**Information:**

2	Fee Worksheet (PTO-06)	fee-info.pdf	8299 dfe1120f6a82192d3d9d59902b631178c8 4979b64	no	2
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Warnings:**Information:**

Total Files Size (in bytes):	15281
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This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

Electronic Patent Application Fee Transmittal

Application Number:	09731834			
Filing Date:	08-Dec-2000			
Title of Invention:	Time variable incentive for purchasing goods and services			
First Named Inventor/Applicant Name:	Neil A. Willcocks			
Filer:	Lock See Yu-Jahnes			
Attorney Docket Number:	2280.2680			
Filed as Large Entity				
Utility Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Notice of appeal	1401	1	510	510
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension - 3 months with \$0 paid	1253	1	1050	1050
Miscellaneous:				
Total in USD (\$)				1560

Date: April 14, 2008 (Monday)

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
AND PETITION FOR EXTENSION OF TIME

In re Application of: NEIL A. WILLCOCKS ET AL.

Application No.: 09/731,834

For: TIME VARIABLE INCENTIVE FOR PURCHASING GOODS AND SERVICES

Filed: December 8, 2000

TC/Art Unit: 3622

Confirmation No.: 1867

Mail Stop: AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated October 12, 2007, of the Primary Examiner finally rejecting claims 1-10, 12-27, 29, 30, and 36-40.

The item(s) checked below are appropriate.

1. ☐ A petition for a ____-month extension of time to respond to the final rejection, together with the \$____ extension fee due under 37 C.F.R. § 1.17, was filed on ____.
2. ☒ Applicants petition under 35 C.F.R. § 1.136(a) for a three-month extension of time to respond to the final rejections. The fee of \$1050 due under 37 C.F.R. § 1.17 has been paid herewith. Please charge any deficiency or credit any overpayment to Deposit Account No. 50-3939. (Please note that April 12, 2008, was a Saturday, and therefore the present Notice and petition are timely filed, as well as the payment of fees.)
3. ☒ The fee of \$510.00 for a notice of appeal
☐ The fee of \$250.00 for a notice of appeal (verified statement claiming small entity status is enclosed, if not filed previously)

- ☐ Is enclosed.
- ☐ Is not required (fee paid in prior appeal).
- ☒ Has been paid herewith. Please charge any deficiency or credit any overpayment to Deposit Account No. 50-3939.
4. ☒ Any prior general authorization to charge an issue fee under 37 C.F.R. § 1.18 to Deposit Account No. 06-1205 or to Deposit Account 50-3939 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees due under 37 C.F.R. § 1.16 or 1.17, which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205.
5. ☒ Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

/Lock See Yu-Jahnes/
Lock See Yu-Jahnes
Attorney for Applicants
Registration No. 38,667

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200

Electronic Acknowledgement Receipt

EFS ID:	7125863
Application Number:	09731834
International Application Number:	
Confirmation Number:	1867
Title of Invention:	Time variable incentive for purchasing goods and services
First Named Inventor/Applicant Name:	Neil A. Willcocks
Customer Number:	05514
Filer:	Jonathan Berschadsky
Filer Authorized By:	
Attorney Docket Number:	02280.002680.
Receipt Date:	02-MAR-2010
Filing Date:	08-DEC-2000
Time Stamp:	17:53:51
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$670
RAM confirmation Number	4658
Deposit Account	503939
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
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1	Notice of Appeal Filed	NoticeofAppeal02280002680.pdf	7280 e4c8eef02ac71c4f1d943e451bbbf0a0a71d09e	no	2
Warnings:					
Information:					
2	Fee Worksheet (PTO-875)	fee-info.pdf	31954 394e1d6e518e8826f6a07da634ba4b1ccc074d0394	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			39234		
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					

Electronic Patent Application Fee Transmittal

Application Number:	09731834			
Filing Date:	08-Dec-2000			
Title of Invention:	Time variable incentive for purchasing goods and services			
First Named Inventor/Applicant Name:	Neil A. Willcocks			
Filer:	Jonathan Berschadsky			
Attorney Docket Number:	02280.002680.			
Filed as Large Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Notice of appeal	1401	1	540	540
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension - 1 month with \$0 paid	1251	1	130	130
Miscellaneous:				
Total in USD (\$)				670

Attorney Docket No. 02280.002680.
Date: March 2, 2010

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
AND PETITION FOR EXTENSION OF TIME

In re Application of: NEIL A. WILLCOCKS ET AL.

Application No.: 09/731,834

For: TIME VARIABLE INCENTIVE FOR PURCHASING GOODS AND SERVICES

Filed: December 8, 2000

TC/Art Unit: 3622

Confirmation No.: 1867

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated November 2, 2009, of the Primary Examiner finally rejecting claims 1, 2, 4-10, 12-27, 29, 30, 32, and 36-40.

The item(s) checked below are appropriate.

1. ☒ Applicants petition under 35 C.F.R. § 1.136(a) for a one month extension of time to respond to the final rejection. The fee of \$130.00 due under 37 C.F.R. § 1.17 has been paid herewith. Please charge any deficiency or credit any overpayment to Deposit Account Number 50-3939.
2. ☐ A Petition for an additional _____ month extension of time to take further action, together with the \$_____ extension fee under 37 C.F.R. §1.17, was filed on _____.
3. ☒ Fee \$540.00

- ☐ Fee \$270.00 (Verified Statement claiming small entity status is enclosed, if not filed previously.)
- ☒ Paid herewith. Please charge any deficiency or credit any overpayment to Deposit Account Number 50-3939.
- ☐ Not required (fee paid in prior appeal).
- ☐ Charge to Deposit Account No. 50-3939.

4. ☒ Any prior general authorization to charge an issue fee under 37 C.F.R. 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 or 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205.

5. ☒ Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

/Lock See Yu-Jahnes/
Lock See Yu-Jahnes
Attorney for Applicants
Registration No. 38,667

FITZPATRICK, CELLA, HARPER & SCINTO
1290 Avenue of the Americas
New York, New York 10104-3800
Facsimile: (212) 218-2200

Form #67